

THE UNITED STATES DISTRICT COURT  
THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BOBBY SMITH

Plaintiff,

vs.

Case No. 06-13301

HONORABLE DENISE PAGE HOOD  
HONORABLE STEVEN D. PEPE

ALLAN BOSSEL,

Defendant.

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**ORDER DISMISSING ORDER TO SHOW CAUSE**

On July 23, 2007, this Court show caused Plaintiff as to why dismissal of this matter under Rule 4(m), Federal Rules of Civil Procedure should not be entered for the Plaintiff's failure to effectuate service of the summons and complaint in this matter (Dkt # 9). Plaintiff responded on August 7, 2007, that he simply did not know that the onus was upon him to effectuate service. Because he is now aware that he must serve the Defendant with the summons and complaint and promised the court that he would do so, the order to show cause is set aside. .

**SO ORDERED.**

Date: August 31, 2007  
Ann Arbor, Michigan

s/Steven D. Pepe  
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on August 31, 2007, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following: not applicable, and I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: Bobby Smith, #189410, Hiawatha Correctional Facility, 4533 W. Industrial Park Dr., Kincheloe, MI 49786

s/ James P. Peltier  
James P. Peltier  
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